

# Electronic Case Filing CM/ECF



## User Manual

District of South Dakota

Updated June, 2009

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# Getting Started

## Introduction

This User Manual applies to all civil and criminal actions filed in United States District Court for the District of South Dakota.

Pleadings or other documents which are filed traditionally rather than electronically shall be served in the manner provided for in and on those parties entitled to notice in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court.

This manual provides instructions on how to use the Electronic Filing System to file documents with the Court, or to view and retrieve docket sheets and documents for all cases assigned in this system. It assumes a working knowledge of Internet Explorer and Adobe Acrobat. For questions regarding Internet Explorer or Adobe Acrobat, refer to their instruction manuals.

## **Help Desk**

If you need assistance, the Court's Help Desk is available by telephone at the numbers listed below:

- Southern Division (Sioux Falls) at 605-330-6600 between the hours of 8:00 am and 5:00 pm CST.
- Northern Division (Aberdeen) at 605-945-4600 between the hours of 8:00 am and 5:00 pm CST.
- Central Division (Pierre) at 605-945-4600 between the hours of 8:00 am and 5:00 pm CST.
- Western Division (Rapid City) at 605-399-6000 between the hours of 8:00 am and 5:00 pm MST.

Or via e-mail at the following address:

[ecfhelp@sdd.uscourts.gov](mailto:ecfhelp@sdd.uscourts.gov)

## **System Capabilities**

The electronic filing system allows registered participants with Internet access and Internet Explorer or Firefox software to perform the following functions:

- Access the Court's web page
- Download the most recent version of the User Manual
- Train using a tutorial that mimics the process of e-filing
- Electronically file pleadings and documents in training or actual "live" cases
- Download Browser or Portable Document Format (PDF) information

## **Requirements**

### **Hardware and Software Requirements**

The hardware and software needed to electronically file, view and retrieve case documents are the following:

- A computer running a Windows or Macintosh operating system
- Software to convert documents from a word processor format to portable document format (PDF)
- A PDF-compatible word processor like Macintosh or Windows-based versions of WordPerfect or Word
- Internet access supporting a transfer rate of 28.8 kbs or higher
- Browser software (Internet Explorer 6.0 and 7.0 or Firefox 1.5 and 2.0). The browser must be Java-Script-enabled.
- Access to a scanner to image documents you did not produce or create (optional)
- A PACER account is required to retrieve information from the ECF system. You can obtain a PACER account by calling 1-800-676-6856 or 210-301-6440 or by visiting the PACER website at <http://www.pacer.uscourts.gov>.

### **How to Register for Access**

Participation in electronic filing is limited to attorneys who are members of the bar of this Court and attorneys authorized to represent the United States. Registration is to be made by using a form prescribed by the Clerk which requires the attorney's name, address, telephone number, Internet e-mail address(es), and a declaration that the attorney is admitted to the bar of this Court. The Attorney Registration Form can be found on the court's web page ([www.sdd.uscourts.gov](http://www.sdd.uscourts.gov)). Attorneys admitted pro hac vice will be required to receive notices electronically but a login and password will not be provided pursuant to Local Rules of Practice for the District of South Dakota 83.2(E).

Provided that the registered attorney has an Internet e-mail address, registration constitutes consent to electronic service of all documents as provided in the rules in accordance with the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure.

Once registration is completed, the registered attorney will receive notification of the his/her login and password. Registered attorneys agree to protect the security of their passwords and immediately notify the Clerk if they learn that their password has been compromised. Registered attorneys may be subject to sanctions for failure to comply with this provision.

Those who are not registered attorneys in the Electronic Filing System are not required to electronically file pleadings and other papers in a case assigned to the system. Once registered, an attorney may withdraw from participation in the Electronic Filing System by providing the Clerk's office with written notice of the withdrawal.

## **Preparation**

### **Setting Up the Acrobat PDF Reader**

In order to view documents filed on the system, users must set up Acrobat PDF reader. All pleadings must be in PDF format to be filed electronically. Adobe provides a PDF Reader free of charge on its website that works for viewing documents. However, in order to create and subsequently file PDF documents you will need to obtain Adobe Acrobat Exchange 3.0 or higher or some other pdf production software program.

### **Portable Document Format (PDF)**

Only PDF (Portable Document Format) documents may be filed with the Court using the Court's Electronic Filing System. **Be sure to view the PDF formatted document before sending it to ensure that it appears in its entirety and in the proper format.**

#### **How to View a PDF File**

- Start the Adobe Acrobat program
- Go to ***File*** menu and choose ***Open***
- Click on the location and file name of the document to be viewed
- If the designated location is correct, and the file is in PDF format, Acrobat loads the file and displays it on the screen
- If the displayed document is larger than the screen or consists of multiple pages, use the scroll bars to move through the document
- Click on the ***View*** menu for other options for viewing the displayed document. Choose the option that is most appropriate for the document

#### **How to Convert Documents to PDF Format**

Conversion of any word processing document to PDF format is required before submission to the Court's electronic filing system.

The conversion process is relatively simple and can be accomplished in one of two ways depending on the word processing program you are using.

**For WordPerfect:**

Version 6.1, 7, 8 (PDFWriter required for use with these versions)

- Open the document to be converted
- Select the ***Print*** option and in the dialog box select the option to change the selected printer. A drop down menu with a list of printer choices is displayed
- ***Select Adobe PDFWriter***
- “Print” the file. The file should not actually print out; instead the option to save the file as a PDF format file appears
- **Name the file, giving it the file type extension .PDF**
- Accept the option and the file is converted to a PDF document
- The file is now in Adobe PDF format under the newly designated name, and the original document remains in its original form under the original name

Version 9 or higher

- Use above method or;
- Open the document
- Click on the ***File*** menu and select, ***Publish to PDF***
- Be sure that **[all pages]** or **[full document]** is selected on the **Document** tab
- Click on the **Details** tab and select, **Publish Text as Graphics**. (Note: This step is important because it will reduce the file size considerably. This, in turn, improves system response time.)
- **Save the file as a PDF file, giving it the file type extension .PDF**
- The file is now in Adobe PDF format under the newly designated name, and the original document remains in its original form under the original name.

### **Any Other Word Processing Program:**

- Open the document to be converted
- Select the ***Print*** option and in the dialog box select the option to change the selected printer. A drop down menu with a list of printer choices is displayed
- Select **Adobe PDFWriter**
- “Print” the file. The file should not actually print out; instead the option to save the file as a PDF format file appears
- **Name the file, giving it the file type extension .pdf**
- Accept the option and the file is converted to a PDF document

*Depending on the word processing program being used, it may be necessary to find the printer selection elsewhere. At that point, change the printer to Adobe PDFWriter, and follow the directions above.*

## **Redaction Information**

Pursuant to the E-Government Act, and the court’s standing order 2004-1, please be advised that parties must refrain from including, or must redact where inclusion is necessary, all Social Security numbers, names of minor children, dates of birth, and financial account numbers. E-filers must use extra care to make sure that the PDF documents to be submitted to ECF are fully and completely free of any hidden data which may contain redacted information.

Please visit our web page at [www.sdd.uscourts.gov](http://www.sdd.uscourts.gov) and click on the CM/ECF link. Next click on the link “Helpful Redaction Information” for more additional detailed information on redaction.

## **User Manual**

This manual will be on our web page and will always be in .pdf format. We will attempt to keep the manual current as system upgrades occur.



## A Step-by-Step Guide

Below is a step-by-step guide for entering the system, preparing a document for filing, filing a motion or other document and displaying a docket sheet in a civil case.

### How to Access the System

Users can get into the system via the Internet by going to: [www.sdd.uscourts.gov](http://www.sdd.uscourts.gov). Click on the **CM/ECF** link on the left side of the screen as shown below:



On the next screen, click on **Live Database Log-in** as shown below:



On the next screen, click on ***District of South Dakota - Document Filing System*** as shown below:



## **Logging In**

The next screen is the login screen:

### **CM/ECF Filer or PACER Login**

#### **Notice**

This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.

#### **Instructions for filing:**

Enter your CM/ECF filer login and password if you are electronically filing something with the court.

#### **If you received this login page as a result of a link from a Notice of Electronic Filing email:**

Enter your CM/ECF filer login and password. The system prompts customers for a CM/ECF login and password when attempting to view certain types of documents.

#### **If you have trouble viewing a document:**


After successful entry of your CM/ECF login, you should be able to view the document. If you receive the message "You do not have permission to view this document," viewing the document is restricted to attorneys of record in the case and the system does not recognize you as such. If the login prompt appears again, after you have entered your CM/ECF login and password, it means that the "free look" link has expired. You will need to enter your PACER login and password to view the document, and you will be charged \$.08 per page.

#### **Instructions for viewing filed documents and case information:**

If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, you may register online at <http://pacer.psc.uscourts.gov>.

Authentication	
Login:	<input type="text"/>
Password:	<input type="password"/>
client code:	<input type="text"/>

- Enter your login and password in the appropriate data entry fields. Then click on the **Login** button to transmit the information to the system. If an error is made before you've submitted the screen, the **Clear** button allows you to clear the login and password entries so they can be re-entered.
- If an invalid login and/or password have been submitted, the system responds with an error message. Click on the **Back** button on your browser, then re-enter your login and password
- You may enter a client code if you choose, or you may leave it blank. If you have more than one client and need to change the client code for billing purposes, you may do so through the Utilities menu. (Note: you are not charged to electronically file documents).
- The entry of a valid login and password combination prompts the system to display the main menu
- For those current PACER users that have not registered as e-filers, you may use your PACER login to **view** docket sheets and documents (you must use your ECF login to **file** documents electronically). Logging in using your PACER login will give you a similar menu to that shown below, except the **Civil** and **Criminal** options will not appear on the blue menu bar and you will not be able to electronically file any documents.

 <a href="#">Civil</a> <a href="#">Criminal</a> <a href="#">Query</a> <a href="#">Reports</a> <a href="#">Utilities</a> <a href="#">Search</a> <a href="#">Log ?</a>
 <p align="center"> <b>U.S. District Court</b>  <b>District of South Dakota</b>  <b>Official Court Electronic Document Filing System</b> </p>
<p><i>This facility is for Official Court Business only. Activity to and from this site is logged. Document filings on this system are subject to Federal Rule of Civil Procedure 11. Evidence of unauthorized or criminal activity will be forwarded to the appropriate law enforcement officials.</i></p>
<p>Welcome to the U.S. District Court for the District of South Dakota Electronic Document Filing System. This page is for use by attorneys and firms participating in the electronic filing system. The most recent version of the Adobe PDF reader can be obtained by selecting the <a href="#">PDF Settings</a> option listed below.</p>
<p align="center"><a href="#">PDF Settings</a></p>
<p>Last login: 03-04-2009 12:07</p>
<p>18July2008</p>

**Note** that the last date you logged into the system appears on the bottom left corner of the screen. You should review this information each time you log in for security reasons. If you believe or suspect someone is using your login and password without permission, you should contact the Clerk's Office at (605) 330-6600 immediately for additional information.

**NOTE: At any time, you can click on the yellow question mark (?) at the far right corner of the blue menu bar for help!**

### **Civil Events**

The **Civil Events** menu lists, by headings, the documents that can be filed in a civil case.



There are four basic steps involved in filing a document:

- (1) selecting a menu item (event type);
- (2) entering the case number in which the document is to be filed;
- (3) designating the parties filing the document; and
- (4) specifying the PDF file name for the document to be filed.

Each screen has the following two buttons:



**Clear** - clears all characters entered in that particular box

**Next** - accepts entry and moves to next screen

### **Correcting a mistake**

Use the ***Back*** button on the browser toolbar to go back and correct an entry made on a previous screen. **However, once the document is transmitted to the Court (the final submit button), only the Court can make changes or corrections.** See page 22 for information on documents filed in error.

### **Scope of Electronic Filing**

The United States District Court has determined that all cases shall be assigned to the Court's Electronic Filing System, other than documents required to initiate a case and sealed documents.. All petitions, motions, memoranda of law, or other pleadings and documents required to be filed with the Court in connection with a case assigned to the Electronic Filing System may be electronically filed. Exceptions to this general assignment of all cases to the Electronic Filing System may be made by the Chief Judge or by a judge to whom a particular case is assigned. The Electronic Filing System does not apply to service of discovery between the parties.

### **Signatures**

The user login and password required to submit documents to the Electronic Filing System serve as the registered attorney's signature on all electronic documents filed with the Court. They also serve as a signature for purposes of Fed.R.Civ.P. 11, the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the local rules of this Court, and any other purpose for which a signature is required in connection with proceedings before the Court. Each document filed electronically must, if possible, indicate that it has been electronically filed. Electronically filed documents must include a signature block and must set forth the name, address, telephone number and e-mail of the registered attorney under whose login and password the document is submitted. In addition, the name of the filing attorney under whose login and password the document is submitted must be preceded by a "/s/" and typed in the space where the signature would otherwise appear, or a scanned facsimile of the attorney's signature must appear in the signature block.

No registered attorney or other person may knowingly permit or cause to permit a registered attorney's login and/or password to be used by anyone other than an authorized agent of the registered attorney.

A document containing the signature of a defendant in a criminal case must be filed in paper form with an original written signature.

Documents requiring signatures of more than one party must be electronically filed either by (1) submitting a scanned document containing all necessary signatures; (2) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than 3 business days after filing; or (3) in any other manner approved by the Court. When filing documents that require signatures from other parties, it is not permissible to insert a /s/ for another person's signature.

### **Summons and Initial Pleadings**

The filing of the initial papers, including the complaint and the issuance and service of the summons in a civil case and the complaint, information, indictment, superseding information or superseding indictment in a criminal case, will be accomplished in the traditional manner on paper rather than through the Electronic Filing System. All subsequent documents in those cases assigned to the Electronic Filing System may be filed electronically except as provided in these rules or as ordered by the Court.

### **Service of Documents by Electronic Means**

The "Notice of Electronic Filing" that is automatically generated by the Court's Electronic Filing System constitutes service of the filed document on registered attorneys. Parties with attorneys who are not registered attorneys must be served with a copy of any pleading or other document filed electronically in accordance with the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, and the local rules.

A certificate of service must be included with all documents filed electronically, indicating that service was accomplished through the Notice of Electronic Filing for parties and counsel who are registered attorneys and indicating how service was accomplished on any party or counsel who is not a registered attorney.

### **Consequences of Electronic Filing**

Electronic transmission of a document to the Electronic Filing System consistent with these rules, together with the transmission of a Notice of Electronic Filing from the Court, constitutes filing of the document for all purposes of the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the local rules of this Court, and constitutes entry of the document on the docket kept by the Clerk under Fed.R.Civ.P. 58 and 79 and Fed.R.Crim.P. 49 and 55.

Before filing an electronic document with the Court, a registered attorney must verify its legibility.

When a document has been filed electronically, the official record is the electronic recording of the document as stored by the Court, and the filing party is bound by the document as filed. A document filed electronically is deemed filed at the date and time stated on the Notice of Electronic Filing from the Court.

Filing a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight **Central time** in order to be considered timely filed that day.

### **Entry of Court-Issued Documents**

All orders, decrees, judgments, and proceedings of the Court will be filed in accordance with these rules which will constitute entry on the docket kept by the Clerk under Fed.R.Civ.P. 58 and 79 and Fed.R.Crim.P. 49 and 55. All signed orders will be filed electronically by the judge or court personnel. Any order or other court-issued document filed electronically without the original signature of a judge or clerk has the same force and effect as if the judge or clerk had signed a paper copy of the order and it had been entered on the docket in a conventional manner.

Orders may also be issued as “text-only” entries on the docket, without an attached document. Such orders are official and binding.

The Court may sign, seal and issue a summons or warrant electronically, although a summons or warrant may not be served electronically.

### **Attachments and Exhibits**

Registered attorneys may submit in electronic form all documents referenced as exhibits or attachments, unless the Court requires conventional filing. An attorney must submit as exhibits or attachments only those excerpts of the referenced documents that are directly germane to the matter under consideration by the Court. Excerpted material must be clearly and prominently identified as such. Highlighting or underlining relevant portions is encouraged. Attorneys who file excerpts of documents as exhibits or attachments under this rule do so without prejudice to their right to timely file additional excerpts or the complete document. Responding parties may timely file additional excerpts or the complete document that they believe are directly germane. The Court may require parties to file additional excerpts or the complete document. Attorneys who are not registered in the Electronic Filing System may file large documents with the Clerk by delivering the separately scanned and saved documents on a computer readable disk, in .pdf format. Counsel who file documents in electronic form may also provide a courtesy copy, in paper form, if they so desire.

### **Sealed Documents**

Please visit our web site at [www.sdd.usucourts.gov](http://www.sdd.usucourts.gov) and click on the link to our local rules. The civil and criminal local rules provide for specific instructions regarding sealed materials.

At this time the CM/ECF system will not allow you to file sealed documents. Anything that needs to be filed under seal must be delivered to the court for filing.

### **Ex Parte Documents**

Ex parte motions in both civil and criminal cases may be filed electronically. All Ex parte motions and the orders on those motions are automatically restricted upon filing. Both the docket entry for the Ex Parte motion and order and the attached document will be available to only the filing attorney and court staff. Ex parte motions will not be filed under seal unless a motion to file the ex parte document under seal has been granted by the Court.

### **Retention Requirements**

Documents that are electronically filed and require original signatures other than that of the registered attorney must be maintained in paper form by the registered attorney until five years after all time periods for appeals expire unless the Court directs that it be retained for a different period. On request of the Court, the registered attorney must provide original documents for review.

### **Notice of Court Orders and Judgments**

Immediately upon entry of an order or judgment in an action the Clerk will transmit to registered attorneys in the case, in electronic form, a Notice of Electronic Filing. Electronic transmission of the Notice of Electronic Filing constitutes the notice required by Fed.R.Civ.P. 77(d) and Fed.R.Crim.P. 49©. The Clerk must give notice in paper form to any person who has not consented to electronic service.

**NOTE: At any time, you can click on the yellow question mark ( ? ) at the far right corner of the blue menu bar for help!**



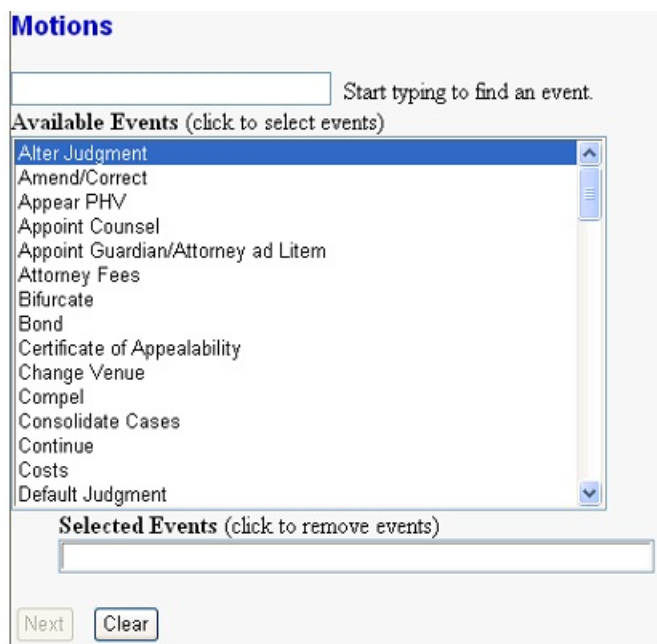
## Filing a Motion

Select **Civil** from the blue menu bar at the top of the main page to bring up the **CIVIL EVENTS** window.



Under **Motions and Related Filings**, click on **Motions**

- In the “Available Events” list, click on the type of motion you want to docket (or use the arrow keys to highlight it and press *Enter*; it will appear in the “Selected Event” box. If multiple motions are docketed, your selections appear in the “Selected Events” list. You can remove a selected event by clicking on it.
- To find the desired event quickly, you can type some letters from any word in its description and the selection list collapses to include only those events which contain those letters (not just those that begin with those letters). Selecting from an abbreviated list causes the full list to reappear, or
- Use the scroll bar on the right side of the box



**Motions**

Civil Case Number

4:09-cv-4001 Find This Case

Next Clear

Enter the case number and click on ***Find This Case***.

If the number is entered incorrectly, or if the case cannot be found, click ***Clear*** and re-enter the number. Then click ***Next***.

The next screen prompts you to select or add the name of the party or parties for whom you are filing the motion:

**Motions**

4:09-cv-04001-LLP Volvo Road Machinery Inc. v. J. D. Evans, Inc.

Select the filer.

Select the Party:

J. D. Evans, Inc. [Defendant] Add/Create New Party

Volvo Road Machinery Inc. [Plaintiff]

Next Clear

Click on the down arrow to the right of the box to scroll through the list (if necessary). If the name you are looking for appears, click on it, and then click ***Next***.

**Note:** If the name does not appear, call the Help Desk at one of Clerk's offices listed above in the Getting Started section of this manual. The Clerk's office will advise you regarding the appropriate steps to take.

The next screen prompts you to select the PDF filename of the document being filed.

The file **MUST** be in a PDF format with a .pdf suffix. If not, it will not be accepted by the system.

If an attempt is made to upload a non-PDF file, or make a standard docket entry without also submitting a document, an error message will appear.

**Motions**  
[4:09-cv-04001-LLP Volvo Road Machinery Inc. v. J. D. Evans, Inc.](#)

Select the pdf document (for example: C:\199cv501-21.pdf).

Filename

Attachments to Document: ☒ No ☐ Yes

### To Submit (Attach) a PDF Document

Enter the full path name of the document to be filed in the space provided, or click on the **Browse** to navigate to the appropriate directory and file to select the document.

Two very important points must be noted here:

- If the path name for the file is manually entered, be sure to include the drive name, if applicable, and the full directory path (e.g. c:\docs\answr.pdf).
- To use the **Browse** option, use the mouse to select the directory in which the PDF version of the file is located.

Select the file to be uploaded.

**Note:** To verify that the document being filed is the correct document, after the file is selected, right click on the file name to bring up a quick menu and left click on open. The .pdf document will open and can be viewed to verify that it is the correct document. You must close the document before attempting to file it (click on File Close or click on the “X” in the upper right corner).

If there are no attachments to the motion, click on **Next**.

### Attachments to Documents

All documents which form part of a pleading and which are being filed at the same time and by the same party should be electronically filed together as one document. However, documents such as memorandums and affidavits that contain a case caption and an attorney’s original signature should be filed as separate documents.

**NOTE: At any time, you can click on the yellow question mark ( ? ) at the far right corner of the blue menu bar for help!**

Select the **pdf** document (for example: C:\199cv501-21.pdf).

**Filename**

**Attachments to Document:** ☐ No ☒ Yes

---

- If there is an attachment to the motion (e.g., an exhibit appendix, proposed order, etc):

- Click **Yes** on “Attachments to Document”
- Click **Next**
- An additional screen is displayed which allows you to attach one or more documents. All exhibits must be attached to the document being filed.

**NOTE:** According to the Court’s Standing Order, attorneys who are not registered in the Electronic Filing System may file large documents with the Clerk by delivering the separately scanned and saved documents on a computer readable disk, in .pdf format. Counsel who file documents in electronic form may also provide a courtesy copy, in paper form, if they so desire.

- At the prompt: Enter the PDF file path and name of the document you are filing or click on **Browse** to search for the document.

**Motions**  
[4:09-cv-04001-LLP Volvo Road Machinery Inc. v. J.D. Evans, Inc.](#)

Select one or more attachments.  
 1) Enter the **pdf** document that contains attachment (for example: C:\appendix.pdf).

**Filename**

---

2) Before proceeding to step 3, describe the document using the Category list, the Description box, or both.

**Category** **Description**

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.

- After attaching the document, click on step 2 and describe your attachment. An example of a document description is: Exhibit A - Deposition of Jane Doe. You will not be allowed to add your attachment (“Add to List”) until you have typed in a description. Then click “Add to List”.

**Motions**  
[4:09-cv-04001-LLP Volvo Road Machinery Inc. v. J. D. Evans, Inc.](#)

Select one or more attachments.

1) Enter the pdf document that contains attachment (for example: C:\appendix.pdf).

Filename

---

2) Before proceeding to step 3, describe the document using the Category list, the Description box, or both.

Category  Description

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.

- If there are additional attachments, repeat this process for each one; adding the description of each document you are attaching. Also keep in mind the size limitations of the ECF system, 5.0 MB.
- After clicking on Add to List, each attachment will appear in the box under step 3.
- After you have finished adding attachments, click on *Next*

## Your Docket Text

Your docket text will appear in a “text window” as shown below:

**Motions**  
[4:09-cv-04001-LLP Volvo Road Machinery, Inc. et al v J.S. Evans, Inc.](#)

Docket Text: Modify as Appropriate.

MOTION to Continue  by Volvo Road  
 (Attachments: # (1) Proposed Order) (Sprat, John "Jack")

- Click the drop-down list and select the correct modifier for the motion, if necessary.
- Click on the white box to add descriptive text in the space provided, if necessary.
- Click on **Next**.

Your Final Text window shows how your docket entry will appear on the docket sheet and in the **Notice of Electronic Filing**.

If you determine that you have made an error, you can click on the **Back** arrow in the upper left hand corner of your browser screen to go back, or you may start over entirely by clicking on **Civil** in the blue menu bar.

If the Final Text of the docket entry is correct, click on **Next** and your docket entry has been submitted and the notice of electronic filing has been sent.

### The Notice of Electronic Filing

The last screen that you will get gives you confirmation that the system has received the entry, the document is filed, and the document is now an official Court document. It also tells you the date and time your transaction was received by the Court, and the number assigned to the document.

**Motions**  
[4:09-cv-04001-LLP Volvo Road Machinery, Inc. et al v J.S. Evans, Inc.](#)

U.S. District Court  
 District of South Dakota

**Notice of Electronic Filing**

The following transaction was entered by Sprat, John "Jack" on 3/5/2009 at 2:46 PM CST and filed on 3/5/2009  
**Case Name:** Volvo Road Machinery, Inc. et al v J.S. Evans, Inc.  
**Case Number:** [4:09-cv-4001](#)  
**Filer:** Volvo Road Machinery, Inc.  
**Document Number:** [2](#)

**Docket Text:**  
**[MOTION to Continue by Volvo Road Machinery, Inc.. \(Attachments: # \(1\) Proposed Order\)\(Sprat, John "Jack"\)](#)**

**4:09-cv-4001 Notice has been electronically mailed to:**

John "Jack" Sprat [jjsprat@yourisp.com](mailto:jjsprat@yourisp.com)  
 Rocco Branzini [mylawfirm@aol.com](mailto:mylawfirm@aol.com)

**4:09-cv-4001 This document must be sent in hard copy to:**

The following document(s) are associated with this transaction:

**Document description:** Main Document  
**Original filename:** n/a  
**Electronic document Stamp:**  
 [STAMP dcecfStamp\_ID=1034884494 [Date=3/5/2009] [FileNumber=65215-0] [ 97d34de04be0c181939b208b2cbf7349334280629213f360e46ac43b705a8e13964960 d09e0ed0e377a7b8ddea28445f35befbecd85bdaa42c51d84c9cb99690]]

**Document description:** Proposed Order  
**Original filename:** n/a  
**Electronic document Stamp:**  
 [STAMP dcecfStamp\_ID=1034884494 [Date=3/5/2009] [FileNumber=65215-1] [ 4527b630f3ade76b0e7df8e70317fd57b27f6bd0874561d8969d607f4fbcd6ffcf266

### **Documents Filed in Error**

A document incorrectly filed in a case may be the result of:

- attaching the wrong PDF file to a docket entry
- selecting the wrong document (event) type from the menu
- forgetting to electronically sign your document, or simply
- entering the wrong case number and not catching the error before the transaction is completed

The system will not permit you to make changes to either the document(s) or the resulting docket entry once the transaction has been committed. Once a document has been filed electronically it is part of the Court record. **If the wrong document or a partial document is filed in error, you need to docket the event “Notice of filing error” and then re-file a corrected document.**



Docket entries are the business of the Clerk’s office and will not be modified upon request. The Clerk’s office may edit a docket entry to correct or clarify as the Clerk deems necessary.

### **When Attachments and Exhibits are in Paper Format**

If attachments and exhibits are filed in paper format, copies must be served on all parties in the case in the traditional manner.

**Note:** The party filing the document should retain a paper or digital copy of the Notice of Electronic Filing, which serves as the Court’s date-stamp and proof of filing.

### **Filing Other Types of Documents**

To file a document other than a motion, make the appropriate selection from the ***Civil Events*** (or Criminal Events) menu. The screens that you see will be very similar to those described above for filing a motion.

## UTILITIES

**NOTE: At any time, you can click on the yellow question mark (?) at the far right corner of the blue menu bar for help!**

### YOUR ACCOUNT

Registered attorneys can customize their e-filing account to best suit their needs. To make any changes or updates to your account, select **Utilities** from the blue menu bar and then select from the options listed below:

#### YOUR ACCOUNT

[Maintain Your Account](#)  
[Maintain Your E-mail](#)  
[Maintain Your Password](#)  
[View Your Transaction Log](#)  
[Change Client Code](#)  
[Review Billing History](#)  
[Show PACER Account](#)  
[Remove Default PACER Account](#)

**Maintain Your Account** will allow you to update your personal information. However, to change firms or your firm address, you are required to contact the court!!

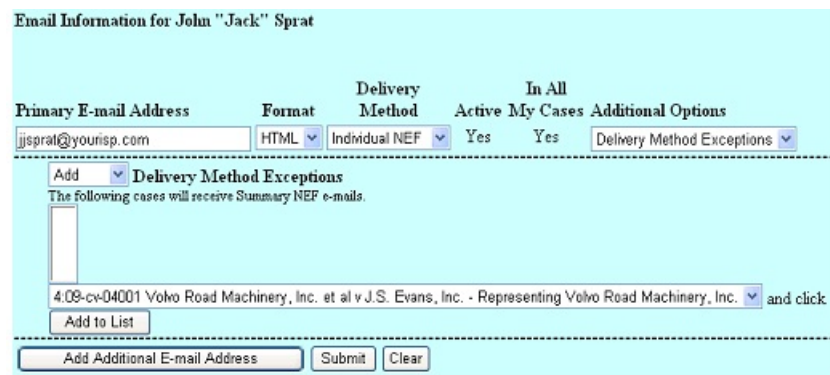
- The **Email information** button at the bottom of the screen allows you to specify how you want to be notified of CM/ECF filings, and the email address at which you want to receive notification. You must click on “Return to Person Information Screen” and then “Submit” to have any changes saved.
- The **More user information** button at the bottom of the screen allows you to change your password. Do NOT change your login name. You must click on “Return to Account Screen” and then “Submit” to have any changes saved.

**Maintain Your E-mail** will allow you to specify how you want to be notified to CM/ECF filings, and the email address(es) at which you want to receive notification.

- Add or change your Primary E-mail Address.
- Add additional E-mail Addresses



- Change the Delivery Method (receipt) of your emails from Individual (receiving an email for each document filed) to Summary (receiving a daily summary of all documents filed in your cases) or vice versa. You can also change the Delivery Method so that you receive Individual e-mail notices for some cases while receiving a Summary E-mail for the rest of the cases. To do so:
  1. Click on the drop-down box for “Additional Options” and select “Delivery Method Exceptions”
  2. Click on the drop-down box for “Show” and change the option to “Add”.
  3. Click on the drop-down box to select the case for which you want to change the delivery method
  4. Select the case and click “Add to List”
  5. Click “Submit” to save the changes you have made



The screenshot shows a web form titled "Email Information for John "Jack" Sprat". The form has several fields and buttons. At the top, there are labels for "Primary E-mail Address", "Format", "Delivery Method", "Active My Cases", and "In All". Below these labels, the "Primary E-mail Address" field contains "jjsprat@yourisp.com", "Format" is set to "HTML", "Delivery Method" is set to "Individual NEF", "Active My Cases" is set to "Yes", and "In All" is set to "Yes". To the right of these fields is a dropdown menu labeled "Additional Options" which is currently set to "Delivery Method Exceptions". Below this section, there is a section titled "Add Delivery Method Exceptions" with a sub-header "The following cases will receive Summary NEF e-mails." Below this is a list of cases, with the first case selected: "4:09-cv-04001 Volvo Road Machinery, Inc. et al v J.S. Evans, Inc. - Representing Volvo Road Machinery, Inc.". To the right of this case is a button labeled "Add to List". At the bottom of the form, there are three buttons: "Add Additional E-mail Address", "Submit", and "Clear".

**Monitoring Other Cases** will allow you to:

- Receive emails for documents filed in a case(s) in which you are not involved. Please be aware that you do NOT receive a “free look” for these cases. To add a case(s):
  1. Click on the drop-down box for “Additional Options” and select “Additional Cases”.
  2. Click on the drop-down box for “Show” and change that option to “Add”.
  3. Enter the case number and click “Add to List”.
  4. Click **Submit** to submit the changes you have made.
  5. You can remove cases from the list by following this same procedure but select the option “Remove”.

Email Information for John "Jack" Sprat

Primary E-mail Address	Format	Delivery Method	In All Active My Cases	Additional Options
jjsprat@yourisp.com	HTML	Individual NEF	Yes	Yes Additional Cases

Add Additional Cases to Receive NEFs  
The 'free look' does not apply when viewing documents in these cases.

Enter case number 07-4001 and click Add to List

Add Additional E-mail Address Submit Clear

The Court recommends that you set up a secondary email address that is either (1) a central repository address that several people have access to, and/or (2) the email address of someone that works closely with you in all your cases (secretary, legal assistant, paralegal). This is a safeguard to ensure that nothing is missed. Should you be out for the day, on vacation, etc, having a secondary email address entered on your account ensures that someone else will also get the message.

***Maintain Your Password*** will allow you to:

- Change your password. To change your password, delete (or highlight) the \*\*\*\*\* to the right of "Password". The password must be 8 characters or fewer. When you type a new password, it is readable. Whenever this screen is displayed again, the password will be hidden. Type your new password and click on ***Submit***.
- If you forget your password, contact the ECF Help Desk at 605-330-6600. For security reasons, this information will not be released to third-parties. The attorney on the account is the only person to whom the Court will release this information.
- **IMPORTANT: DO NOT CHANGE YOUR ASSIGNED LOGIN!!!!**

***View Your Transaction Log*** will allow you to:

- view details of all your transactions (docketing) in CM/ECF on or between the dates you specify.
- If you believe or suspect someone is using your login and password without permission, you should change your password immediately.

### ***Change Client Code:***

- The client code is used by PACER to track charges that are being accumulated. (You are not charged by PACER to file documents).
- If you are using PACER and being billed for viewing docket sheets and documents in a case, you can change your client code so that your billing from the PACER Service Center correctly reflects charges incurred on a per-client basis.

### ***Review Billing History***

- This will display the number of CM/ECF pages accessed and charges incurred for the PACER account you are currently using. If you enter client codes when you access CM/ECF, the charges are totaled for each code. Note: charges incurred at this CM/ECF site during the last 3 months can be viewed. Older transactions can be viewed from the PACER Service Center web site.
- You need to specify a range of dates for which you want to see the billing data.
- You can sort the report by date the charges were incurred, or by client code, then by date.

### ***Show PACER Account***

- This will display the PACER account and client code you are currently using.

### ***Remove Default PACER Account***

- If you check the “Make this my default PACER login” checkbox, your PACER account and password is stored within the CM/ECF account information. Thereafter, all charges are billed to that PACER account and you will not have to enter the PACER login information again.
- If you choose to do so, you may remove the default association between your current PACER login and your CM/ECF login by using “Remove Default PACER Account”.
- A different PACER account can be used by selecting the “Change your PACER Login” option from the Utilities Menu.

## MISCELLANEOUS

**Legal Research:** Each of these options links to a non-Judiciary Web site:

- **Law Dictionary:** This information is researched and written in plain language and provided free of charge by lawyer Lloyd Duhaime.
- **Medical Dictionary:** This On-Line medical dictionary is from the CancerWEB Project sponsored by British Telecommunications.
- **Westlaw via the Internet:** The westlaw.com site requires a subscriber account, although non-subscribers can use a free password for 14 days.

### **Mailings:**

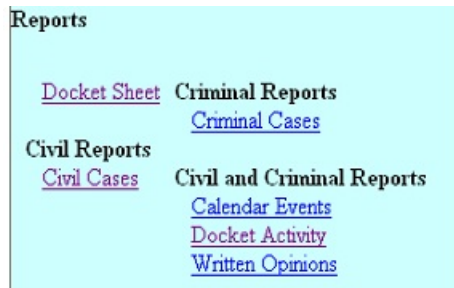
- **Mailing Info for a Case** displays a list of those who receive e-mail notices, and those who require manual noticing.
- **Mailing Labels by Case** allows you to enter the number of the case for which you want labels.

**Verify a Document:** Enter the case number and the document number of the document you want to verify and click “Next”. If the case and document are valid, the following items are displayed:

- Case Number and Title - You can click on the number and name(s) hypertext link to view the case document.
- Docket entry - The filed date, document number and the docket text of the entry in which the document was filed. Click on the document number to view the PDF.
- File size is - the size of the documents (bytes).
- Original Signature(s) - Document number, document description, original filename and electronic document stamp of the document. If these are not shown, there is no PDF document associated with the docket entry.
- Verified Signatures(s) - Document number, document description, original filename and electronic document stamp. If these are not shown, there is no PDF document associated with the docket entry.
- Verification - This states whether the original and verified signatures are the same or different. If they are different, please contact the help desk.

## REPORTS

A list of all reports available to you may be found by clicking on **Reports** in the blue bar.



The screenshot shows a light blue rectangular menu titled "Reports". Inside the menu, there are two columns of links. The left column contains "Docket Sheet" (underlined in purple) and "Civil Reports" (in bold). Below "Civil Reports" is "Civil Cases" (underlined in purple). The right column contains "Criminal Reports" (in bold), "Criminal Cases" (underlined in purple), "Civil and Criminal Reports" (in bold), "Calendar Events" (underlined in purple), "Docket Activity" (underlined in purple), and "Written Opinions" (underlined in purple).

### *Docket Sheet*

Click on **Docket Sheet**. You will be prompted for your PACER Login information and will be charged for documents you access (look at) at the rate of \$.08 per page.

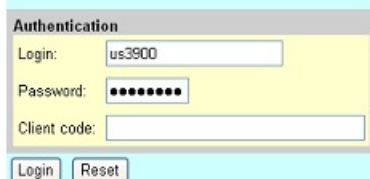
## PACER Login

### Instructions

Enter your PACER login and password. If you do not have a PACER login, you may register online at <http://pacer.psc.uscourts.gov>. If you have a CM/ECF filer login and password, and would like to automatically log in to PACER each time you log in as a filer, check the box below.

☐ Make this my default PACER login

After checking this box, you will only need to use your **CM/ECF** login and password, either for electronic filing or for viewing documents via **PACER**.



The screenshot shows a "Authentication" form with a yellow background. It contains three input fields: "Login:" with the text "us3900", "Password:" with a masked password of eight dots, and "Client code:" which is empty. Below the fields are two buttons: "Login" and "Reset".

*CM/ECF has been tested and works correctly with Firefox 1.5 and 2.0, and Internet Explorer 6.0 and 7.0.*

**Notice:** An access fee of \$.08 per page, as approved by the Judicial Conference of the United States, will be assessed for access to this service. This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged. For more information, contact the PACER Service Center at (800)676-6836.

- ECF will then ask for your PACER login and password; enter your login and password. For billing purposes, you may enter a Client code if you so choose but it is not mandatory. Then click on “Login”.
- Enter case number and click “Find This Case”.
- Specify the appropriate criteria for your docket sheet (if you do not enter specific filed/entered dates or document numbers, the entire docket sheet will display)
  1. *Parties and counsel*: Check the box to include a list of all parties and attorney(s) in the case.
  2. *Terminated parties*: Check the box to include all terminated parties .
  3. *List of member cases*: Check the box to include a list of all cases that have been joined or associated with this case, i.e. MDL or Consolidated cases.
  4. *Links to Notices of Electronic Filing*: Check the box to view the NEF (Notice of Electronic Filing) for each document.
  5. *Include headers when displaying PDF documents*: Check this box if you want the document header information to display at the top of each document that you view. The header contains the case number, the document number, the date filed, and the pages:

Case 4:09-cv-04001-LLP Document 1 Filed 04/15/2008 Page 1 of 7

6. *View multiple documents*: Check this box to have the docket sheet prompt you to select specific documents instead of having to select them one at a time. You will be able to either “View Selected” documents, or “Download Selected” documents:

Date Filed	#	<a href="#">clear</a>	Docket Text
03/05/2009	<a href="#">1</a>	<input type="checkbox"/>	COMPLAINT 2 Summons(es) issued - handed to counsel for plaintiff (Receipt Number 12321 in the amount of \$ 350) filed by Volvo Road Machinery, Inc. (NAK) (Entered: 03/05/2009)
03/05/2009	<a href="#">2</a>	<input type="checkbox"/>	MOTION to Continue by Volvo Road Machinery, Inc.. (Attachments: # <a href="#">1</a> Proposed Order)(Sprat, John "Jack") (Entered: 03/05/2009)

or

7. *Create Appendix*: Click this box to create an appendix of documents that you can view in the order in which you choose:

Date Filed	#	<a href="#">clear</a>	Sort Order	Docket Text
03/05/2009	<a href="#">1</a>	<input type="checkbox"/>	<input type="text"/>	COMPLAINT 2 Summons(es) issued - handed to counsel for plaintiff (Receipt Number 12321 in the amount of \$ 350) filed by Volvo Road Machinery, Inc. (NAK) (Entered: 03/05/2009)
03/05/2009	<a href="#">2</a>	<input type="checkbox"/>	<input type="text"/>	MOTION to Continue by Volvo Road Machinery, Inc.. (Attachments: # <a href="#">1</a> Proposed Order)(Sprat, John "Jack") (Entered: 03/05/2009)

Footer format:  ☒ Include full docket sheet  
 (Numbers, letters, spaces, and <pagenum> only) ☐ Include abridged docket sheet

8. *Sort by*: You are able to change the sort option for your docket report selecting either the Oldest date first, or the Most recent date first.
9. Click **“Run Report”**

You may scroll through by using the up and down arrows on the bar to the right side of the list.

If you want to view an actual document described on the docket sheet, click on the document number. Note that you will be charged to view the document at the rate of \$.08

If you want to view the Notice of Electronic Filing, click on the silver ball next to the number.

You may print out the document by clicking on **Print** on the browser toolbar.

To return to the docket sheet, click on **Back** button on your browser.

You may print out the entire docket sheet by clicking on **Print** on the browser toolbar.

**Civil Cases Report**: Displays summary data about selected civil cases, plus links to view more detailed information about each case. Some selection criteria are available only to court staff. This report is not subject to the 30 page billing cap. You will be billed for the total number of pages. If you want to run a report for a single case, you can use the Query Menu or the Docket Report.

***Criminal Cases Report:*** Displays summary data about selected criminal cases, plus links to view more detailed information about each case. Some selection criteria are available only to court staff. This report is not subject to the 30 page billing cap. You will be billed for the total number of pages. If you want to run a report for a single case, you can use the Query Menu or the Docket Report.

***Calendar Events Report:*** This report lists scheduled events on a single day or during a range of dates. The first proceeding which set the hearing date is shown. If the proceeding which set the hearing date is related to an earlier proceeding, that earlier proceeding is shown. Next to the proceeding is a bullet which displays the ‘Related Proceedings Report’, showing all matters related to the one which set the hearing.

***Docket Activity Report:*** Lists selected events docketed to selected cases. Events may be limited by category, type, or entry/file date; cases may be limited by case number, judge, etc. This report is not subject to the 30 page billing cap. You will be billed for the total number of pages. If you want to run a report for a single case, you can use the Query Menu or the Docket Report.

***Written Opinions Report:*** This report will list documents that have been designated as opinions.

## **Troubleshooting**

### **Cannot access the LIVE Database Login**

- A session can only be established using Internet Explorer or Firefox.
- If your login and password have both been correctly typed (the system is case sensitive), and you still cannot log into the system, please call or email the Court’s Help Desk at any one of the numbers listed in the “Getting Started” section of this manual.

### **Technical Failures**

- A registered attorney whose filing is made untimely as the result of a technical failure may seek appropriate relief from the judge to whom the case is assigned.

### **Clear your Cache**

- It may be necessary for you to periodically clear your browsers cache. The Temporary Internet Files folder (cache) is the location on your hard disk where web pages and files (such as graphics) are stored as you view them. This speeds up the display of pages you frequently visit or have already seen, because your browser can open them from your hard drive instead of from the web. But it can become cluttered and cause problems. Any time you are experiencing problems, especially if they are unusual to you, it would be a good idea to delete your temporary internet files (or clean your cache) and restart your browser.